

RULES AND REGULATIONS

2 VAC 5-180-10 through 2 VAC 5-180-120

(Previously VR 115-02-16)

Pertaining to

PSEUDORABIES IN VIRGINIA

Virginia Department of Agriculture
and Consumer Services

DIVISION OF ANIMAL INDUSTRY SERVICES

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RULES AND REGULATIONS

Pertaining to Pseudorabies in Virginia (Previously VR 115-02-16)

Promulgated Pursuant to

Sections 3.1-724, 3.1-726 and 3.1-730

of the

Code of Virginia of 1950

Effective July 8, 1998

RULES AND REGULATIONS

Pertaining to PSEUDORABIES IN VIRGINIA 2 VAC 5-180-10 through 2 VAC 5-180-120

Pursuant to the authority in Sections 3.1-724, 3.1-726 and 3.1-730 of the Code of Virginia (1950) as amended, the Board of Agriculture and Consumer Services hereby adopts the following Rules and Regulations Governing Pseudorabies in Virginia.

2 VAC 5-180-10. Definitions.

The following words and terms, when used in this chapter, shall have the following meaning, unless the context clearly indicates otherwise:

“Accredited veterinarian” means a licensed veterinarian approved by the United States Department of Agriculture and the State Veterinarian to perform functions required by cooperative state-federal disease control and eradication programs.

“Approved laboratory” means a laboratory approved by the United States Department of Agriculture or the State Veterinarian to conduct official pseudorabies tests.

“Approved slaughter market” means a livestock market approved by the United States Department of Agriculture where shipments of slaughter swine only are permitted in accordance with applicable state and federal regulations and from which no swine may be released except directly to another approved slaughter market, or to a recognized slaughter establishment for immediate slaughter.

“Boar” means any male swine used for or intended to be used for producing offspring.

“Breeder swine” means any swine used for or intended to be used for reproductive purposes.

“Direct shipment” means movement without unloading en route, without contact with swine of lesser pseudorabies status, and without contact with infected or exposed livestock.

“Farm of origin” means a farm where the swine were born, or on which they have resided for at least 90 consecutive days immediately prior to movement.

“Feeder pig” means any immature swine used for or intended to be used exclusively for feeding for slaughter.

“Licensed veterinarian” means a veterinarian who is licensed by the Virginia Board of Veterinary Medicine to practice veterinary medicine in Virginia.

“Official pseudorabies serologic test” means an official pseudorabies test conducted on swine serum to detect the presence or absence of pseudorabies antibodies.

“Official pseudorabies test” means any test for the diagnosis of pseudorabies approved by the United States Department of Agriculture and conducted in an approved laboratory.

“Official random sample test” means a test for pseudorabies that meets the requirements of 2 VAC 5-180-60 B of this regulation.

“Permit” means an official document issued for and prior to the interstate shipment of pseudorabies-infected or -exposed swine by the United States Department of Agriculture, State Veterinarian or his representative, or accredited veterinarian which states: (i) the number of swine being shipped; (ii) the purpose for which they are shipped; (iii) the points of origin and destination; (iv) the names and addresses of the consignor and consignee; and (v) any additional information that may be required by applicable state and federal regulations.

“Pseudorabies” means the contagious, infectious, and communicable viral disease of livestock and other animals also known as Aujeszky’s disease, mad itch or infectious bulbar paralysis.

“Pseudorabies monitored herd” means a feeder pig production herd that has been tested according to the provisions of 2 VAC 5-180-20 C 1.

“Qualified pseudorabies negative herd” means a swine herd that satisfies the provisions of 2 VAC 5-180-20 D.

“Quarantined feedlot” means a premises where pseudorabies-infected or -exposed swine of Virginia origin are fed under the supervision and control of the State Veterinarian and from which swine are moved directly to a recognized slaughter establishment.

“Recognized slaughter establishment” means a slaughter establishment operated under state or federal inspection.

“Sow” means any female swine used for or intended to be used for producing offspring.

“*State Veterinarian*” means a Virginia Department of Agriculture and Consumer Services veterinarian employed by the Commissioner of Agriculture and Consumer Services who is responsible for the animal-health programs in the Commonwealth of Virginia.

“*Surveillance index*” means the percentage of a population of sows and boars sampled, multiplied by the percentage of positive swine traced to the farm of origin. When no positive swine are found, the surveillance index shall be the percentage of a population of sows and boars sampled.

“*Swine dealer*” means any person who routinely purchases, deals in, or sells swine, including commission representatives and brokers, or who operates and conducts an auction where swine are sold.

2 VAC 5-180-20. Feeder pigs.

- A. Any person shipping, selling, lending, leasing or trading feeder pigs in Virginia; and any person offering to ship, sell, lend, lease, or trade feeder pigs in Virginia shall assure that they are a direct shipment, and:
1. Originate from a farm in a Stage III, Stage IV or Stage V state/area as specified by the Cooperative State-Federal-Industry Pseudorabies Eradication Program Standards published by the U. S. Department of Agriculture, (January 1, 1998);
 2. Originate from a market in a Stage IV or Stage V state/area as specified by the Cooperative State-Federal-Industry Pseudorabies Eradication Program Standards;
 3. Originate from a pseudorabies monitored herd;
 4. Originate from a qualified pseudorabies negative herd; or
 5. Are individually tested and found negative for pseudorabies within 30 days prior to the shipment.
- B. Identification of swine.
All producers of feeder pigs subject to this chapter shall have swine from their production herds individually identified by eartag, tattoo, standard ear notch that has been recorded in the book of record of a purebred registry association, or by any other method approved by the State Veterinarian.
- C. Pseudorabies monitored herd procedures.
1. To certify a feeder pig production herd as a pseudorabies monitored herd, a producer shall have the herd tested and found to be negative for pseudorabies, with the testing to be of a representative sample of the herd. In addition, the producer shall test all boars in the herd. The sample size shall be as follows:
 - a. In herds of 10 sows or fewer, all sows shall be tested;
 - b. In herds of 11 to 35 sows, 10 sows shall be tested; and
 - c. In herds of 36 sows or more, 30% of sows or 30 sows, whichever is fewer, shall be tested.
 2. To continue pseudorabies monitored herd status, a producer shall have each initially certified feeder pig production herd recertified annually by utilizing the sample size specified in subdivision C 1 of this section. The sample for recertification shall also include all boars and 30% of the sows added to the feeder pig production herd since the last certification test. The recertification date shall be no more than 30 days before and no more than 30 days after the anniversary date of the initial herd certification pursuant to subdivision C 1 of this section.
- D. Qualified pseudorabies negative herd procedures.
1. To have a swine herd meet the requirements of a qualified pseudorabies negative herd, a producer shall subject all swine over six months of age in the herd to an official pseudorabies serologic test. All swine so tested must be found negative.
 2. To maintain qualified pseudorabies negative herd status, a producer shall subject all swine over six months of age in the herd to an official pseudorabies serologic test at least once each year. The test shall be

accomplished by testing 25% of swine over six months of age every 80-105 days and finding all swine so tested to be negative. No swine may be tested twice in one year to comply with the 25% requirement.

3. A producer may also obtain qualified pseudorabies negative herd status by any means authorized by 9 CFR, Part 85.
- E. Proof of herd-health status.
Proof of herd-health status for feeder pig production herds and feeder pigs shall be by one of the following methods:
1. A current Swine Herd Health Card for Pseudorabies (VDACS-03024) issued by the State Veterinarian or other proof, specified by the State Veterinarian, of being a pseudorabies negative herd; or
 2. An official pseudorabies test chart identifying the individual feeder pigs offered in the transaction or shipment and indicating that they have been tested and found to be negative for pseudorabies within the past 30 days.
- F. Exemptions to subsections C, D, and E of this section.
Producers are exempt from the requirements of subsections C, D, and E of this section while Virginia is designated as a Stage IV or Stage V state as specified by the Cooperative State-Federal-Industry Pseudorabies Eradication Program Standards.

2 VAC 5-180-30. Breeder Swine.

- A. Any person shipping, selling, lending, leasing, or trading breeder swine in Virginia; and any person offering to ship, sell, lend, lease or trade breeder swine in Virginia shall assure that they:
1. Originate directly from a Stage IV or Stage V state/area as specified by the Cooperative State-Federal-Industry Pseudorabies Eradication Program Standards;
 2. Originate directly from a qualified pseudorabies negative herd; or
 3. Are individually tested and found negative for pseudorabies within 30 days prior to shipment, and are isolated and quarantined at destination, and retested in 30 to 60 days.
- B. Identification of breeder swine.
All producers of breeder swine subject to this chapter shall have their swine individually identified by eartag, tattoo, standard ear notch that has been recorded in the book of record of a purebred registry association, or by any other method approved by the State Veterinarian.

2 VAC 5-180-40. Slaughter swine.

- A. Any person shipping slaughter swine in Virginia not known to be infected with or exposed to pseudorabies shall assure that they are shipped to:
1. A recognized slaughter establishment; or
 2. An approved slaughter market.

- B. Any person shipping slaughter swine in Virginia known to be infected with or exposed to pseudorabies shall assure that it is sent directly to a recognized slaughter establishment, but only if:
1. The shipper has secured from the State Veterinarian a permit authorizing the shipment, and
 2. The conveyance transporting the swine within Virginia is cleaned and disinfected after the swine is off-loaded but prior to leaving the slaughter establishment.
- C. Identification of slaughter swine.
Any producer of slaughter swine subject to this regulation, except for those shipped under seal that are involved in transactions pursuant to 2 VAC 5-180-40, shall individually identify such swine by eartag, tattoo, standard ear notch that has been recorded in the book of record of a purebred registry association, or by any other method approved by the State Veterinarian.

2 VAC 5-180-50. Exhibition swine.

Any person exhibiting swine shall assure that they:

1.
 - (i) Originate directly from a farm in a Stage IV or Stage V state/area as specified by the Cooperative State-Federal-Industry Pseudorabies Eradication Program Standards;
 - (ii) originate directly from a qualified pseudorabies negative herd; or
 - (iii) are individually tested and found negative for pseudorabies within 30 days prior to the exhibition; and
2. Are individually identified by eartag, tattoo, standard ear notch that has been recorded in the book of record of a purebred registry association, or by any other method approved by the State Veterinarian.

2 VAC 5-180-60. Surveillance.

- A. All slaughter establishments doing business in Virginia shall cooperate with the State Veterinarian in the annual testing pursuant to the Cooperative State-Federal-Industry Pseudorabies Eradication Program Standards of Virginia's breeder swine population for pseudorabies using an official pseudorabies serologic test with 80% successful traceback of seropositives to the farm of origin, or testing and traceback to achieve a surveillance index of 0.08%. The State Veterinarian shall use current statistics of the National Agricultural Statistics Service of the United States Department of Agriculture on breeding swine population in calculating surveillance data. The surveillance program shall be random and shall be representative of all herds in the Commonwealth.
- B. Every swine producer within a 1.5 mile radius of any pseudorabies-infected premises shall have his herd tested through the use of the official random sample test procedure as specified below.
1. In herds of fewer than 100 head, 25 shall be tested;
 2. In herds of 100 to 200 head, 27 shall be tested; and
 3. In herds of 201 to 999 head, 28 shall be tested; and
 4. In herds of 1,000 head or more, 29 shall be tested.

2 VAC 5-180-70. Swine owner notification.

- A. Immediately after imposing or releasing a quarantine for pseudorabies on a swine herd, the State Veterinarian or his representative will initiate actions to notify swine owners in writing within a 1.5 mile radius of that quarantine.
- B. At least 30 days prior to authorizing or withdrawing the authorization for the establishment of a quarantined feedlot for pseudorabies-infected or -exposed swine, the State Veterinarian or his representative will so notify swine owners in writing within a 1.5 mile radius of the feedlot.

2 VAC 5-180-80. Mandatory herd cleanup.

The State Veterinarian is authorized to quarantine pseudorabies-infected and -exposed swine and take measures to eliminate pseudorabies from such swine in Virginia, utilizing a herd cleanup plan. Any person in whose swine herd pseudorabies is diagnosed shall cooperate with the State Veterinarian in instituting one of the following herd cleanup plans:

- 1. Test and removal of infected swine.
A producer may remove from his herd all swine positive to an official test to either a quarantined area or an approved slaughter establishment. The remaining swine in the herd shall be quarantined and shall pass a negative official pseudorabies serologic test at least 30 days after the removal of the infected swine in order for the quarantine to be released.
- 2. Offspring segregation.
A producer shall isolate progeny from a quarantine herd which shall be weaned, under the direction of the State Veterinarian, and they shall pass two negative official pseudorabies serologic tests at least 30 days apart in order for the quarantine to be released.
- 3. Depopulation - Repopulation.
A producer may sell his entire swine herd for slaughter. The producer shall clean and disinfect the premises at least 30 days prior to repopulation.
- 4. Other herd cleanup plans.
The Virginia Board of Agriculture and Consumer Services delegates to the State Veterinarian the authority to approve additional herd cleanup plans that meet the requirements of the Cooperative State-Federal-Industry Pseudorabies Eradication Program Standards.

2 VAC 5-180-90. Transportation and disposal of dead swine.

- A. No person may dispose of dead swine except by:
 - 1. Rendering;
 - 2. Burial in a manner consistent with law;
 - 3. Incineration in manner consistent with law; or

4. Any other method approved by the State Veterinarian that is consistent with the law.
- B. No person shall operate any vehicle or haul any container carrying dead swine or parts thereof in Virginia unless it is covered and leak proof.

2 VAC 5-180-100. Vaccination.

No person shall vaccinate any swine in Virginia with a pseudorabies vaccine without prior approval of the State Veterinarian.

2 VAC 5-180-110. Reporting of pseudorabies.

Laboratory personnel, producers and veterinarians shall report all suspect cases of pseudorabies to the State Veterinarian by telephone within 24 hours after having knowledge of such cases.

2 VAC 5-180-120. Requirements for swine dealers; requirements for agents.

- A. Registration.

Every swine dealer doing business in Virginia and his agents shall be registered with the State Veterinarian; each shall make application for registration on forms provided by the State Veterinarian and each shall renew his registration no later than March 1 of each even-numbered year thereafter. The State Veterinarian will issue a registration card to each registered swine dealer and to each of his agents. Every swine dealer and every agent shall have the card in his possession while engaged in the business of dealing in swine, and show the card to the State Veterinarian or his representative when asked to do so.
- B. Records requirement.

Every registered swine dealer shall maintain a record of all swine that he purchases, sells, exchanges, or barter in the course of business.
- C. Contents of records.

The records required by subsection B of this section shall include the following information, which shall be recorded daily for each transaction of that day:

 1. The date of the transaction;
 2. The man-made identification affixed or applied to each swine;
 3. The name and address of the seller, and in addition, if different, the name and address of the producer;
 4. The name and address of the purchaser, and in addition, if different, the name and address of the ultimate purchaser;
 5. The purpose of the swine involved in the transaction, using one or more of the following designations:
 - a. Feeder;
 - b. Breeder;
 - c. Slaughter; or
 - d. Exhibition.

- D. Retention of records.
The swine dealer shall keep in his possession for a period of two years after each transaction the records pertaining to that transaction required by subsections B and C of this section.
- E. Inspection of records.
Every swine dealer doing business in Virginia shall, during all reasonable hours, permit the State Veterinarian or his representative to have access to and to copy any and all records maintained pursuant to this chapter.
- F. Out-of-state swine.
Any swine dealer importing swine into Virginia shall comply with the health requirements governing the admission of swine into Virginia contained in 2 VAC 5-140-10 et. seq.. The swine dealer shall deliver a copy of the official health certificate to the purchaser.
- G. Denial, suspension, or cancellation of registration of dealer; agent.
1. The State Veterinarian may, after due notice and opportunity for hearing to the swine dealer involved, deny the dealer's application for registration, or suspend or cancel his registration, when the State Veterinarian has determined that the swine dealer has:
 - a. Violated state or federal statutes or regulations governing the interstate or intrastate movement, shipment or transportation of swine;
 - b. Made false or misleading statements in his application for registration;
 - c. Sold swine that he knew or should have known were sick or exposed to infectious or contagious disease;
 - d. Knowingly made false or misleading entries in the records required by this chapter;
 - e. Failed to comply with any provision of this chapter; or
 - f. Directed or authorized any agent to engage in any conduct described in subdivisions a. through e., above, or knew or should have known that the agent is engaging in such conduct, but has failed to prohibit it.
 2. The State Veterinarian may, after due notice and opportunity for hearing to the agent of a swine dealer, deny or suspend the agent's application for registration, when the State Veterinarian has determined that the agent has:
 - a. Violated state or federal statutes or regulations governing the interstate or intrastate movement, shipment, or transportation of swine;
 - b. Made false or misleading statements in his application for registration;
 - c. Sold swine that he knew or should have known were sick or exposed to infectious or contagious disease;
 - d. Knowingly made false or misleading entries in the records required by this chapter;
 - e. Failed to comply with any provision of this chapter; or
 - f. Ceased to be an agent of a registered swine dealer.